

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

v.

PABLO MARTINEZ MEJIAS

Defendant

CRIMINAL NO. 03-222 (SEC)

REPORT AND RECOMMENDATION

This matter was referred to the undersigned following USPO Sylvia Ortiz's motion (Docket Nos. 57, 67) informing the Court that defendant had violated his conditions of supervised release. Defendant, at sentencing, was ordered a condition of supervised release to wear an electronic monitoring bracelet. USPO Ortiz charges the defendant with violating his conditions of release by engaging in several unauthorized exits from his residence, and further, not reporting the same to the probation officer.

The parties, rather than litigate the matter have reached an agreement (see Docket Nos. 70 and 72) whereby, defendant's electronic supervision will be extended by six months. Also, defendant agrees to the addition of a home search and seizure provision to his supervised release.

The undersigned, finds this agreement reasonable, thus recommends that the same be accepted, with the caveat that, upon any further violations, defendant's supervised release will be revoked. At present, however, the Court **RECOMMENDS** that the supervised release of the defendant thus, continue.

Under the provisions of Rule 72(d), Local Rules, District of Puerto Rico, any party who objects to this report and recommendation must file a written objection thereto with the Clerk of the Court within ten (10) days of the party's receipt of this report and recommendation. The written objections must specifically identify the portion of the recommendation, or report to which objection is made and the basis for such objections. Failure to comply with this rule precludes further

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1 appellate review. See Thomas v. Arn, 474 U.S. 140, 155 (1985), reh'g denied, 474 U.S. 1111(1986);
2 Davet v. Maccorone, 973 F.2d 22, 30-31 (1st Cir. 1992).

3 **SO ORDERED.**

4 In San Juan, Puerto Rico this 13th day of September, 2005.

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6 */s/ Gustavo A. Gelpi*

7 GUSTAVO A. GELPI
8 United States Magistrate-Judge
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